UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION (CINCINNATI)

INNOMARK COMMUNICATIONS LLC : Case No. 1:16-cv-1057-TSB

Plaintiff, : Judge Timothy S. Black

V.

MARK N. MARTH : **INNOMARK'S MOTION TO FILE**

: **DOCUMENTS UNDER SEAL**Defendant. :

Pursuant to S.D. Ohio Civ. R. 5.2.1, Plaintiff Innomark Communications LLC ("Innomark") respectfully moves this Court for an Order, via notation, pursuant to Paragraph 17 of the Stipulated Confidentiality and Protective Order [Doc # 23], permitting Innomark to file documents under seal. Innomark makes this request to address the designation of certain documents as "Confidential" and "Attorney's Eyes Only" pursuant to the Protective Order entered by this Court on November 23, 2016. Innomark has also moved, concurrently with this motion, for an *in-camera* inspection of documents designated as "Attorney's Eyes Only." For these reasons, Innomark respectfully requests an Order, via notation, to file documents under seal which have been designated as "Attorney's Eyes Only" pending this Court's *in-camera* inspection of such documents.

Respectfully submitted,

/s/ Timothy G. Pepper Timothy G. Pepper (0071076) Trial Attorney Valerie M. Talkers (0088769) TAFT STETTINIUS & HOLLISTER LLP 40 North Main Street, Suite 1700 Dayton, Ohio 45423 Tel: (937) 641-1740 Fax: (937) 228-2816 pepper@taftlaw.com

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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was filed and served via the Court's CM/ECF system on January 10, 2017, upon the following counsel of record:

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Counsel for Defendant

s/ Timothy G. Pepper Timothy G. Pepper (0071076)